

**TABLE OF AUTHORITIES**

**FEDERAL CASES**

<u>Amoco Production Company v. Village of Gambell,</u> 480 U.S. 531 (1987) . . . . .	11,12
<u>Benda v. Grand Lodge of Int’l Ass’n of Machinists,</u> 584 F.2d 308 (9th Cir. 1978) . . . . .	12
<u>Caribbean Marine Services v. Baldridge,</u> 844 F.2d 668, (9th Cir. 1988) . . . . .	12, 54, 58
<u>Committee for Nuclear Responsibility Inc. et al., v. Seaborg,</u> 463 F.2d 796 (D.C. Cir. 1971) . . . . .	33
<u>Cummings v. Connell,</u> 316 F.3d 886 (9th Cir. 2003) . . . . .	50
<u>Department of the Navy v. Egan,</u> 484 U.S. 518 (1988) . . . . .	57
<u>Forest Conservation Council v. U.S. Forest Service,</u> 66 F.3d 1489 (9th Cir. 1995) . . . . .	11
<u>Hamdi v. Rumsfeld,</u> 124 S.Ct. 2633 (2004) . . . . .	57
<u>Malama Makua v. Rumsfeld,</u> 2006 U.S. Dist. LEXIS 3962 (D. Hawaii February 2, 2006) . . . . .	60
<u>Mt. Graham Red Squirrel v. Madigan,</u> 954 F.2d 1441 (9th Cir. 1992) . . . . .	51
<u>National Audubon Society v. Department of Navy,</u> 422 F.3d 174(4th Cir. 2005) . . . . .	11, 39
<u>North Carolina v. City of Virginia Beach,</u> 951 F.2d 596 (4th Cir. 1991) . . . . .	35
<u>South Carolina Dept. of Wildlife &amp; Marine Resources v. Marsh,</u> 866 F.2d 97 (4 <sup>th</sup> Cir. 1989) . . . . .	35-37
<u>Southwest Center for Biological Diversity v. U.S. Bureau of Reclamation,</u> 143 F.3d 515 (9th Cir. 1998) . . .	51

<u>State of Wisconsin v. Weinberger,</u>	
745 F.2d 412 (7th Cir. 1984) . . . . .	55, 56
<u>Water Keeper Alliance v. Department of Defense,</u>	
152 F.Supp.2d 155 (D.P.R. 2001) . . . . .	59
<u>Weinberger v. Romero-Barcelo,</u> 456 U.S. 305 (1982) . .	11, 12 , 58
<u>Yakus v. United States,</u> 321 U.S. 414 (1944) . . . . .	58

**FEDERAL REGULATIONS**

40 C.F.R. § 1506.1(a) . . . . .	35, 36
40 C.F.R. § 1506.1(a)(2) . . . . .	39